

**IN THE UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF OKLAHOMA**

**TYLER G. JONES,**

**Plaintiff,**

**VS.**

**Cause No.: 5:05-cv-1483**

**UNION PACIFIC RAILROAD COMPANY,  
a corporation, CURTIS and KOREEN WOODS,  
d/b/a WOODS ALFALFA, and  
DANNY EUGENE HOFFMAN,**

**Defendants.**

## **APPLICATION TO PARTICIPATE BY TELEPHONE**

COMES NOW counsel for the Plaintiff, Michael K. Nowak, and in support of his Application to Participate in the Status and Scheduling Conference by telephone, states as follows:

1. That the undersigned is counsel of record for the Plaintiff, Tyler G. Jones.
2. That the above-referenced cause is set for a Status and Scheduling Conference on August 8, 2006 at 9:45 a.m. **[Doc. No. 18]**
3. That the Applicant's office is located in O'Fallon, Illinois, which is in the metropolitan St. Louis, Missouri area.
4. That the earliest flight between St. Louis, Missouri and Oklahoma City, Oklahoma on the day of the Status and Scheduling Conference is not scheduled to arrive in Oklahoma City, Oklahoma until 8:55 a.m.
5. That the Applicant has a toll-free telephone number which could be used to facilitate the telephonic Status and Scheduling Conference.

WHEREFORE the undersigned respectfully requests this Honorable Court to enter its Order allowing counsel for the Plaintiff to attend the Status and Scheduling Conference set for August 8, 2006 by telephone.

Respectfully submitted,

BY: s/Michael K. Nowak  
**MICHAEL K. NOWAK, #06191078**  
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- and -

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**ATTORNEYS FOR THE PLAINTIFF.**

### **CERTIFICATE OF SERVICE**

I hereby certify that on **July 7, 2006**, I electronically transmitted the attached document to the Clerk of Court using the ECF System for filing. Based on the electronic records currently on file, the Clerk of Court will transmit a Notice of Electronic Filing to the following ECF registrants:

Mr. Robert D. Hart  
Mr. Tom L. Armstrong  
500 Petroleum Club Building  
601 South Boulder Avenue  
Tulsa, Oklahoma 74119

Curtis and Koreen Woods, d/b/a Woods Alfalfa, Defendant  
712 14<sup>th</sup> Street  
Tribune, Kansas 67879

Danny Eugene Hoffman, Defendant  
RR 18  
Tribune, Kansas 67879

s/Michael K. Nowak